



MICHAEL P. STUPINSKI
First Selectman

STATE OF CONNECTICUT • COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

55 MAIN STREET • P.O. BOX 187
ELLINGTON, CONNECTICUT 06029-0187

TEL 870-3100 FAX 870-3102

www.ellington-ct.gov

NANCY O. WAY
Deputy First Selectman

PETER J. CHARTER
DENNIS W. FRAWLEY
ANN L. HARFORD
A. LEO MILLER, JR.
JAMES M. PRICHARD

BOARD OF SELECTMEN
Monday, March 13, 2006
Town Hall – Meeting Hall

SELECTMEN PRESENT: Peter Charter, Dennis Frawley, Ann Harford, A. Leo Miller, James Prichard, Michael Stupinski and Nancy Way

OTHERS PRESENT: Town Planner: R. Phillips; Fuss & O'Neill Design Build Services: J. Galey, S. Savell; Conservation Commission: J. Gage; Public Works Director: P. Michaud; Board of Education: K. Ramsey, M. Blanchette; Finance Officer: N. DiCorleto; EVFD Chief: M. Varney and other members; CCM: A. Merola; East Shore Road Association: Ann Bonney, Paul Bouvier; JI Reporter: J. Misthal

I. CALL TO ORDER:

First Selectman Stupinski called the meeting of the Board of Selectmen (BOS) to order at 7:30 p.m.

II. CITIZENS' FORUM:

Ann Bonney, President, East Shore Road Association, referenced the draft waiver prepared by the Town Attorney, noting that she felt the East Shore Road residents will go along with it. She asked what the process was to go forward. Mr. Stupinski explained that if in agreement, the BOS must vote to send it to a Town Meeting. If the BOS decides not to send it to a Town Meeting, the residents can petition for a Town Meeting. Mr. Stupinski stated that he cannot support sending this request to Town Meeting, citing the expense to the Town and liability exposure from third parties. He also stated that he could not determine the basis for why the Association cannot hire a contractor to plow and sand the road as condominium associations must have similar arrangements. Ms. Bonney stated that several homeowner insurance companies have identified action by the residents working together to provide this services as collusion and the insurance company will not provide coverage. Mr. Miller questioned if the association could purchase a specific liability policy to cover the association or require the contractor to provide liability coverage. Mr. Charter stated that he cannot support this request as the homeowners were aware of their responsibilities when they bought a home on a private road. Ms. Bonney stated that the residents of East Shore Road are unified and will request a Town Meeting. Mr. Charter stated that before it goes to a petition that it should be determined if such a request can be petitioned. Mr. Stupinski will get a ruling from the Town Attorney. Ms. Bonney asked the BOS to place the request to send to Town Meeting the proposal for the Town to plow and sand East Shore Road (private road) on the April BOS meeting agenda.

Kelly Ramsey, Board of Education (BOE), thanked the BOS for their invitation to participate in the CCM Energy presentation. She stated that the BOE has asked the Connecticut Consortium for Capital Purchasing to make a similar presentation and encouraged the BOS members to attend. She will notify the BOS when a date has been set.

Robert Burns, 8 East Shore Road, was very displeased with the Town's position regarding the plowing and sanding of East Shore Road.

III. APPROVAL OF MINUTES:

A. February 1, 2006 Board of Selectmen Special Meeting

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO APPROVE THE BOARD OF SELECTMEN SPECIAL MEETING MINUTES OF FEBRUARY 1, 2006.

B. February 6, 2006 Special Town Meeting

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO APPROVE THE BOARD OF SELECTMEN SPECIAL MEETING MINUTES OF FEBRUARY 6, 2006.

C. February 6, 2006 Board of Selectmen Regular Meeting

MOVED (WAY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO APPROVE THE BOARD OF SELECTMEN REGULAR MEETING MINUTES OF FEBRUARY 6, 2006.

D. February 27, 2006 Board of Selectmen Budget Meeting

MOVED (WAY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO APPROVE THE BOARD OF SELECTMEN BUDGET MEETING MINUTES OF FEBRUARY 27, 2006.

IV. UNFINISHED BUSINESS:

The BOS went out of agenda order to item B.

B. Land Use Fees Ordinance – Set Public Hearing

Mr. Phillips briefly reviewed the proposed Land Use Fees Ordinance.

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO RECOMMEND A NEW ORDINANCE PRESCRIBING CERTAIN LAND USE FEES, AS SUBMITTED BY THE TOWN PLANNER AND TOWN ATTORNEY, AND THAT THE BOARD OF SELECTMEN HOLD A PUBLIC HEARING ON MONDAY, APRIL 10, 2006 AT 7:30 P.M. AT THE CRYSTAL LAKE SCHOOL GYMNASIUM TO ALLOW CITIZENS TO COMMENT ON THE PROPOSED NEW ORDINANCE. **(ATTACHED)**

A. CCM Energy Purchase Program – Presentation by Andrew Merola, CCM

Mr. Merola came forward to explain the CCM Energy Purchasing Program. He stated that CCM will act as the Town's agent in the strategic purchase of electricity and natural gas in the deregulated marketplace. He noted proven results in lowering energy bills for towns and schools. The fee for this service is \$.00133 per kilowatt hour for electricity and is charged only after the Town accepts a price. To start the program, the Town will be required to sign a Participation Agreement and Utility Data Release form. Signing the agreement obligates the Town to CCM and also precludes the Town from entering into contracts with other agencies. Mr. Merola stated that it is beneficial to have the Town and the BOE enter into a contract together; however, they can sign on separately.

Mr. Stupinski stated that the BOS should wait to hear the Connecticut Consortium for Capital Purchasing presentation at the BOE meeting before making a commitment. He thanked Mr. Merola for his presentation.

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO ADD TO NEW BUSINESS ITEM H, *RESIGNATION – BOARD OF FINANCE* AND ITEM I, *APPOINTMENT - BOARD OF FINANCE*.

V. NEW BUSINESS:

The BOS went out of agenda order to item F.

F. Pinney Street Firehouse

Jim Galey and Steve Savell, Fuss & O'Neill Design Build Services, presented the BOS with construction cost estimates to build a fire house on Pinney Street. They reviewed the design and format in addition to possible options. Mr. Frawley questioned why it was not required that the second floor be handicap accessible. Mr. Galey explained that if equal facilities are offered on both floors it is not necessary to make the second floor handicap accessible.

Mr. Stupinski asked if future expansion has been addressed in the design. Mr. Savell stated that to expand or upgrade the building the Town could build off the back side of the building.

Mr. Charter stated that radiant floor heating and a generator to power the entire building should be included in the design specifications and not as an option. Mr. Miller suggested adding the epoxy-based floor coating now rather than waiting.

Ms. Harford was surprised that a sub-station would be so large. Mr. Varney explained that this facility will make up for the needs at the Center Fire House; i.e., training facilities.

Mr. DiCorleto stated that before the project goes out to bid that Bond Counsel must prepare motions for the BOS and Town Meeting or referendum.

MOVED (MILLER), SECONDED (FRAWLEY) AND PASSED [ABSTAINED: HARFORD] TO DIRECT THE FINANCE OFFICER TO CONTACT BOND COUNSEL TO PREPARE BOND RESOLUTIONS FOR THE ELLINGTON VOLUNTEER FIRE DEPARTMENT FOR THE PINNEY STREET STATION IN AN AMOUNT NOT TO EXCEED \$1.5 MILLION. **(ATTACHED)**

The BOS continued out of agenda order to item C.

C. Conservation Commission – Referendum for Open Space Funding

Jim Gage stated that the Conservation Commission would like the BOS to approve sending to the November election, a request for a \$2 million bond to be used for the purchase of open space. He noted that the request has been turned down in the Capital Improvement Budget. All properties purchased would go through the current process. The money would allow the Town to be able to react when parcels become available.

Mr. Stupinski stated that it is premature to approve this proposal for the November election. Mr. Miller suggested addressing this issue after the budget passes. In the meantime, Mr. Stupinski will contact the Town Attorney regarding the process to put this request on the November ballot and will notify the Conservation Commission.

A. Tax Refunds/Abatements:

MOVED (WAY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO APPROVE THE TAX REFUNDS IN THE AMOUNT OF \$13,358.60, AS RECOMMENDED BY THE TAX COLLECTOR IN THE REFUNDS/ABATEMENTS STATEMENT. **(ATTACHED)**

B. Set Public Hearing for Crystal Lake Regatta:

MOVED (WAY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO ADD TO THE PUBLIC HEARING SCHEDULED FOR MONDAY, APRIL 10, 2006 AT 7:30 P.M. AT THE CRYSTAL LAKE SCHOOL GYMNASIUM THE APPLICATION OF THE CRYSTAL LAKE SAILING CLUB FOR A REGATTA PERMIT.

D. Rye Field Subdivision – Acceptance of Roads/Drainage:

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO ACCEPT RYE FIELD ROAD, DAISY LANE AND A PORTION OF CRANE ROAD, AS DEFINED ON THE DEED **ATTACHED** TO THESE MINUTES, AS TOWN ROADS AND AUTHORIZE THE TOWN PLANNER TO RECORD THE TENDERED DEED PURSUANT TO THIS AUTHORIZATION AND THE SUBDIVISION REGULATIONS. FURTHER, TO ACCEPT THE DRAINAGE FOR RYE FIELD SUBDIVISION AND REDUCE THE MAINTENANCE BOND FROM \$318,000 TO \$72,000, AS RECOMMENDED BY THE TOWN ENGINEER.

E. Award Contract for Small Cities Application Preparation and Program Administration for Program Income Funded Project:

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO AWARD THE CONTRACT FOR THE SMALL CITIES APPLICATION PREPARATION AND PROGRAM ADMINISTRATION FOR THE EXPENDITURE OF PROGRAM INCOME AT SNIPSIC VILLAGE TO COMMUNITY OPPORTUNITIES GROUP, INC., BOSTON, MASSACHUSETTS, FOR AN AMOUNT, AS SPECIFIED IN THE PROPOSAL ON PAGE 9. **(ATTACHED)**

G. Grant Permanent Status – Zoning Enforcement and Wetlands Enforcement Officer:

Mr. Stupinski stated that Lisa Houlihan is doing a great job and concurs with Mr. Phillips recommendation to grant her permanent status.

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO GRANT PERMANENT STATUS TO LISA HOULIHAN, ZONING AND WETLANDS ENFORCEMENT OFFICER.

H. Resignation – Board of Finance:

MOVED (WAY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO ACCEPT, WITH REGRET, THE RESIGNATION OF VAUGHN GERBER FROM THE BOARD OF FINANCE.

I. Appointment – Board of Finance:

MOVED (WAY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO APPOINT ALBERT WACHSMAN TO THE BOARD OF FINANCE TO FILL AN UNEXPIRED DEMOCRATIC TERM TO DECEMBER 3, 2007, AS RECOMMENDED BY THE DEMOCRATIC NOMINATING COMMITTEE.

VI. ADMINISTRATIVE REPORTS: So noted, except as follows:

E. Public Works Director

Mr. Michaud asked permission to donate the 1991 Red Jeep Cherokee to Kids Safe. He noted that vehicle has 238,000 miles.

MOVED (CHARTER), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO AUTHORIZE THE PUBLIC WORKS DIRECTOR TO DONATE THE 1991 JEEP CHEROKEE TO KIDS SAFE.

Mr. Michaud stated that he received a request to install stop signs at the Windmill Road and Ellsworth Lane intersection. When he visited the site he noted that other intersections in this development did not have stop signs and recommended they all be consistent.

MOVED (MILLER), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO AUTHORIZE THE PUBLIC WORKS DIRECTOR TO INSTALL STOP SIGNS AT THE FOLLOWING INTERSECTIONS: [1] WINDMILL ROAD & ELLSWORTH LANE, [2] BENJAMIN DRIVE & ELLSWORTH LANE; [3] BROCKWAY ROAD & BENJAMIN DRIVE; [4] BROCKWAY ROAD & BROOKFIELD DRIVE; [5] WINDMILL ROAD & WINDMILL ROAD (where the circle meets); [6] BROOKFIELD DRIVE & WINDMILL ROAD; AND [7] PINE RIDGE DRIVE & WINDMILL ROAD.

Mr. Michaud requested permission to order the 4 trucks included in the Capital Improvement Budget now, pending the outcome of the budget and on the condition that it will not obligate the Town to purchasing the trucks. Mr. Michaud explained that if the Town waits to place the order, the production cycle will go into next year. In addition, the 2007 production line will include new emission controls estimated at \$7,000 per unit.

By consensus, the BOS approved Mr. Michaud's request to order the 4 budgeted DPW vehicles, on the condition it will not obligate the Town to purchase them.

P. Boards, Commissions & Agencies: Emergency Management Director

Don Davis stated that Governor Rell has recommended appropriating funds for storm reimbursement cost for the last snow storm.

VII. SELECTMEN COMMITTEE REPORTS:

A. Personnel Committee:

1. Resignations:

MOVED (FRAWLEY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO ACCEPT THE RESIGNATION OF ANNA SANKO, ECONOMIC DEVELOPMENT COMMISSION.

2. Appointments:

MOVED (FRAWLEY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO APPOINT LORI HOLDEN TO THE ECONOMIC DEVELOPMENT COMMISSION TO FILL AN UNEXPIRED TERM TO JULY 31, 2006, CHANGING HER STATUS FROM ALTERNATE MEMBER TO REGULAR MEMBER.

MOVED (MILLER), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO REAPPOINT YALE CANTOR TO THE HOCKANUM VALLEY COMMUNITY COUNCIL BOARD OF DIRECTORS FOR A THREE YEAR TERM TO MARCH 31, 2009.

MOVED (MILLER), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO REAPPOINT JESSE AMSEL AND SHAWN COSTELLO TO THE CONSERVATION COMMISSION FOR FOUR YEAR TERMS TO MARCH 31, 2010.

B. Town Ordinance Committee

Mr. Miller was opposed to allowing exemptions to churches, citing separation of church and state. Mr. Stupinski stated that the language is narrowly constructed and questioned if this exemption is allowed for the land use permits.

MOVED (WAY), SECONDED (CHARTER) AND PASSED [OPPOSED: MILLER/FRAWLEY] TO AMEND THE BUILDING PERMIT FEE ORDINANCE BY ADDING SECTION 4 AS FOLLOWS: *SECTION 4. EXEMPTIONS – PERMIT FEES SHALL BE WAIVED FOR CHURCHES AND OTHER NON-PROFIT ORGANIZATIONS,* AS RECOMMENDED BY THE BOARD OF SELECTMEN ORDINANCE COMMITTEE AND TO ADD TO THE PUBLIC HEARING OF APRIL 10, 2006 AT 7:30 P.M. AT THE CRYSTAL LAKE SCHOOL GYMNASIUM.

C. Town Policies Committee (TPC)

Mr. Frawley stated that the TPC reviewed and revised the draft Use of Town Vehicles Policy as follows: Change name of policy to Use of Town Vehicles & Personal Vehicles for Town Business Policy; list all on-call personnel who have vehicles assigned to them, amending how monthly vehicle allowances are paid and to review such allowances on a yearly basis. Mr. Frawley suggested the BOS address the revised policy at the next meeting.

MOVED (CHARTER), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO ACCEPT THE TOWN POLICIES COMMITTEE REPORT REGARDING THE USE OF TOWN VEHICLE POLICY.

D. Other

Mr. Charter stated that the Personnel Policies Committee will forward the policy for reimbursement for individuals subpoenaed to court on behalf of the Town of Ellington to the TPC.

VIII. SELECTMEN LIAISON REPORTS: So noted.

IX. FIRST SELECTMAN'S REPORT:

Mr. Stupinski stated that the Farmers Market participants have requested they move to the Town Green this season. Mr. Stupinski expressed concern with parking and pedestrian safety issues. It has been suggested that the Green in front of the Library be used as the Library is closed Saturdays during July and August. Ms. Way stated that the Historical Society was approached by some participants regarding use of the Nellie McKnight property for the Farmers Market.

Mr. Stupinski attended a CRRA presentation on plasma arc technology which melts waste into glass-like rocks and recycles the gas by-product. He stated that the technology is new but sounds promising as it will reduce bulky waste by 90%.

Mr. Stupinski suggested the BOS establish an ordinance naming the BOS as the Flood and Erosion Control Board. He stated that State Statutes allow for the establishment of such a board by the BOS to acquire, construct, repair, maintain, supervise and manage a flood or erosion control system. The BOS agreed to forward this proposal to the Ordinance Committee for review.

X. CORRESPONDENCE:

A. 2/15/06 Memo from EDC re: Business Survey Results: So noted.

B. 2/17/06 Letter to Charter Revision Commission re: Noise Ordinance:

Mr. Stupinski will forward this letter to the Ordinance Committee for review and response.

C. 2/21/06 Letter from Pamela Amodio, Cultural Arts Commission (CAC), re:
Resignations

Mr. Stupinski reviewed the circumstances leading to the resignations of several members of the Cultural Arts Commission. He suggested appropriating money to this year's budget and increasing the request for 2006-2007 to reconstruct the CAC. There was some discussion on the direction of the CAC. Some members were not in favor of the CAC acting as a grant approval agency, and felt that type of function was more suited to an independent association. Mr. Stupinski stated that any revision to the CAC's charge would require an ordinance change.

MOVED (WAY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO APPROVE AN ADDITIONAL APPROPRIATION OF \$5,000 FROM FY 2005-2006 UNDESIGNATED GENERAL FUND BALANCE TO THE 2005-2006 CULTURAL ARTS COMMISSION BUDGET, PENDING BOARD OF FINANCE APPROVAL.

MOVED (WAY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO RECOMMEND THAT THE BOARD OF FINANCE INCREASE THE 2006-07 CULTURAL ARTS BUDGET BY AN ADDITIONAL \$7,000 FOR A TOTAL OF \$12,000.

D. 2/22/06 Letter of Thanks from Richard Cofrancesco, Housing Authority:
So noted.

XI. ADJOURNMENT:

MOVED (CHARTER), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING OF THE BOARD OF SELECTMEN AT 10:20 P.M.

Submitted by Marie Sauve Approved by Michael P. Stupinski
Marie Sauve Michael P. Stupinski

AN ORDINANCE PRESCRIBING CERTAIN LAND USE FEES

BE IT ENACTED BY THE TOWN OF ELLINGTON:

Section 1: APPLICATION FEES

WHEREAS, it is necessary for the Town of Ellington to incur certain expenses in order to administer the Zoning, Subdivision and Inland Wetlands Regulations of the Town which includes the expense of required legal advertisements, administrative review of applications, engineering and legal expenses to assure the Town that construction is in accordance with the regulations and approved plans; and

WHEREAS, it is appropriate to assess the expense incurred by the Town in processing and administering land use applications and construction against those who precipitate and benefit by that work;

NOW THEREFORE pursuant to Connecticut General Statutes Section 8-1c the Town of Ellington hereby adopts the following Schedule of Fees for various land use activities:

PLANNING AND ZONING FEES	
Bond Reduction Processing Fee	\$200.00
Earth Removal Renewal Fee (Requires Additional Special Permit Fee)	\$300.00
Subdivision and Re-subdivision Processing Fee (Plus below)	\$500.00 or \$150 / lot, whichever is greater
<i>New Road Fee</i>	\$200.00/100 lin.ft
<i>Existing Town / State Road Fee</i>	\$50.00/100 lin.ft
Subdivision Re-Approval/Modification (NOT RESUBDIVISION)	\$100.00
Regulation Amendment Processing Fee	\$300.00
Zoning Map Amendment Processing Fee (Zone Change)	\$300.00
Site Plan Review – Entire Site Area	
<i>0 to 25,000 sq ft.</i>	\$250.00
<i>25,001 sq ft. to 50,000 sq ft.</i>	\$350.00
<i>50,001 sq ft. and greater</i>	\$550.00
Site Plan Modification – Total Modification Area	
<i>0 to 5,000 sq ft.</i>	\$100.00
<i>5,001 sq ft. to 25,000 sq ft.</i>	\$200.00
<i>25,001 sq ft. and greater</i>	\$400.00
Special Permit	\$200.00
Location approval for motor vehicle dealer's and repairer's license	\$100.00
Zoning Permit – Less than \$20,000 construction	\$20.00
Zoning Permit – Greater than \$20,000 construction	\$150.00
Use Variance	\$250.00
Bulk Variance (Setback, coverage, height, area, or similar), Appeal of Decision of ZEO	\$150.00

WETLANDS AND WATERCOURSES FEES	
Permitted and Non-regulated Uses	
<i>Permitted uses as of right</i>	
0 to 5 acres of direct impact	\$75.00
5 to 10 acres of direct impact	\$150.00
10 acres and above of direct impact	\$250.00
<i>Nonregulated uses</i>	\$50.00
Regulated Uses	
<i>Administrative Permits</i>	\$50.00
<i>Agency Permits</i>	
<u>Nonsignificant Activity</u>	\$250.00
<u>Significant Activity Base Fee; plus fees below</u> (Fees for significant activities located within a <u>mapped watershed</u> of a public water supply company are <u>double</u> the requirements.):	\$250.00
- \$5.00 / lineal foot of watercourse directly affected, plus;	
- \$75.00 each new or modified watercourse crossing, plus;	
- \$25.00 / acre upland review area not protected by easement, plus;	
an additional fee for inland wetland soils directly affected as follows:	
• 1 to 500 sq ft	\$75.00
• 501 to 2,500 sq ft	\$150.00
• 2,501 to 10,000 sq ft	\$500.00
• 10,000 sq ft and above	\$750.00
Map and Regulation Amendments	\$150.00
The Wetlands Agency may recover the costs of any expert retained by the Agency to offer an opinion, substantiate, or refute any subject related to an application for permit from the Applicant in accordance with CGS Section 22a-42a(e).	
THE ELLINGTON PLANNING DEPARTMENT SHALL COLLECT ALL OTHER FEES OR SURCHARGES AS REQUIRED BY THE CONNECTICUT GENERAL STATUTES.	

Section 2. PRE-APPROVAL DEPOSITS AND FEES

It is anticipated that the fees in Section 1 will reimburse the Town for actual expenses incurred in the processing of each of the applications to a decision. In addition, as to all applications for Subdivision, Resubdivision, Special Permit, Site Plan Approval or Modification, and Wetlands Applications requesting water course crossing or relocation of wetlands, then the land use department receiving the application will require a deposit equal to the anticipated cost of materials and services to be performed by professionals other than town employees including but not limited to the review of the applications for conformance with the Regulations of the Inland/Wetlands and Watercourse Agency and the Planning and Zoning Commission including the computation of the cost to construct improvements subject to bonding requirements. Such sums shall be deposited with the Town and all bills received from professionals other than Town employees in connection with that Application shall be charged against that deposit. If the deposit is exhausted, then an additional deposit will be required before any further action is taken on the Application. Upon approval of the Application and issuance of the requested Permit, any excess deposit shall be refunded to the Applicant not later than sixty (60) days thereafter.

Section 3: POST-APPROVAL DEPOSIT AND FEES

Prior to issuance of the Permit following approval by the appropriate Land Use Commission or Agency, the professional who has been engaged to review the Application shall provide to the Land Use Agency an estimate of the cost for said professionals other than Town employees, to inspect construction at reasonable intervals to insure that construction complies with the approved Plan, conformance with the Phase II Regulations of the Connecticut Clean Water Act, inspections for reductions of Performance Bonds, review of Plan Revisions and documents necessary to implement or complete the Plans, and review and inspection of all improvements necessary for Town acceptance of the Project Infrastructure or for issuance of a Certificate of Zoning Compliance. A fee equal to that estimated cost shall be paid to the Town through the agent issuing the Permit prior to the recording of any Plan in the land records and prior to the issuance of any Permit for construction in accordance with the approval. All charges thereafter by said professionals in connection with a Permit shall be charged against the deposit. If the deposit is exhausted, then an additional amount shall be collected based upon the professional's additional estimate of costs before any further work or inspections are conducted. Failure to make an additional deposit shall be grounds for the appropriate Enforcement Officer to issue a Stop Work or Cease and Desist Order. Upon completion of the Project and acceptance by the Town of any Project infrastructure or issuance of a Certificate of Zoning Compliance, any excess funds shall be returned to the applicant not later than sixty (60) days following said event.

Section 4: EXPERTS

Nothing herein shall prohibit any agency of the Town from requiring the applicant or permittee, at his expense, to provide professional consultant reports or certification as to conditions before or after construction [or test results] nor shall this ordinance in any way impact bonding requirements set forth in any of the land use regulations.

Section 5: EXEMPTIONS

The Town of Ellington and all of its boards, commissions, agencies and departments are exempt from the payment of any and all of the fees or deposits required by this ordinance. Charities, churches and non-profit organizations are not exempt.

This Ordinance shall be effective on _____, 2006.

APPROVAL RECORD FOR ORDINANCES

Board of Selectmen Approved for Public Hearing: _____

Public Hearing Notice Published On: _____

Public Hearing Held On: _____

Board of Selectman Recommend Adoption: _____

Town Meeting Notice Published On: _____

Approved by Town Meeting On: _____



**Fuss & O'Neill Design/Build Services, LLC
Ellington Fire Department - Pinney Street Station
Scope Definition for Construction Cost Estimate
March 13, 2006**

Design and Format

- Building design based upon Ellington Fire Department (EFD) defined program requirements.
- Scope has been limited to achieve desired price point; however there are certain price increases for various trades that should be taken into consideration in order to meet EFD's defined program requirements. These added costs are included in the cost spreadsheet.
- Project is conceived as a Pre-Engineered Metal Building with a 38'x 80' Apparatus High Bay and a two story office/living quarter with a 42'x 80' footprint. There are increased savings associated with design costs when using a pre-engineered building.
- All aspects of the design are structured with achieving program requirements while minimizing construction costs.
- Pricing assumes no tax and that prevailing wage requirements do not apply.
- A list of possible additional options with pricing estimates is also included.

Site

- Excavation and Backfill
- Utilities (water, sewer, gas, electric)
- Paving for parking spaces and driveway. Increased paving costs should be considered for meeting the needs of apparatus access and maneuverability.
- Landscaping per greenery requirements – not included in initial pricing.
- Oil Water Separator
- Site work price that was carried for initial pricing was the original number from approximately five years ago and was updated to current costs.

Structure

- Pre-Engineered building structure.
- Pre-Engineered structural second floor.
- Asymmetrical roof layout with peak over the second story.
- Standing seam metal roof design.
- Exterior walls will have CMU at base and metal wall panels above. CMU wall around office/living area will be 3' high. CMU wall around high bay area will be 8'



high, common wall to be ~25' high. These masonry costs were not included in initial pricing and were included as adders to meet program requirements.

- Building color chosen from manufacturers standard color chart.
- Perimeter concrete frost walls with 6" slab floor designed for HS-20 loading under high bay area.
- Floor of second story is 4" standard concrete with 100 psf live load and 60 psf dead load. Floor/ceiling structure is fire rated.
- Two stairwells for egress requirements.
- Second floor is not designed to be Handicap "Accessible". No Elevator is included.
- Bay area is separated from office/living area by fire rated CMU wall – not included in initial pricing.
- The exterior windows will be Star Standard. A number of windows will be sliding type.
- Main entrance will be glass store front windows.
- Other exterior doors will be Star standard hollow core metal doors.
- Apparatus High Bay electronic overhead doors (4 total) were initially priced as 12' x 14', but were increased to 14' x 16' based on program needs.
- Concrete aprons on either side of the apparatus bay area were included as a proposed adder to initial cost estimate. There are many options that can be explored for sizing the aprons while meeting the needs of the EFD and minimizing costs.

Interior

- Wall partitions will be sheetrock on metal stud construction.
- FRP panels for moisture resistance and ease of cleaning were proposed as a cost adder for the Decon room and Kitchen area.
- Interior doors will be solid core birch.
- Flooring for initial cost estimate was carried as VCT throughout the entire building. Ceramic tile in bathrooms and locker room area as well as carpeting in specified living locations was proposed as an adder based on program needs and functionality.
- Ceilings will be 2'x 4' tiles in suspended grid.
- Kitchen and bathroom cabinets and fixtures will be standard commercial grade cabinets with laminate tops.
- A cost savings option to meet the anticipated budget would be to combine certain rooms to minimize linear feet of wall that has to be constructed. Another cost savings option is to not finish some of the second floor areas during initial construction.



HVAC

- High efficiency gas-fired furnaces and high efficiency condensing units - 4 heat/cool units for the office area. These high efficiency models were not included in the initial pricing and are a good investment for long term cost savings and energy rebate programs.
- Local controls with adjustable timers.
- High bay area will be heated by direct fired gas unit heaters. Circulation fans will be provided over the bays.
- Two speed exhaust fan and mechanical louver system provided for exhausting the bays. Passive room ventilation with individual tail pipe exhaust hookups for the trucks was carried in the initial estimate which did not meet the program needs of the EFD so these costs are included in the proposed program adders.
- Bathroom exhausts, washer and dryer hookups, stove hookups.

Plumbing

- Floor drains in high bay area and Decon room that drain to oil water separator. These were not included in the initial cost estimate and are included in the proposed program adders.
- Three ground floor accessible bathrooms and kitchen.
- Two locker/shower rooms provided on the second floor.
- Air Compressor (150 psig) in mechanical room with one line run into high bay area – this was not included in initial cost estimate.
- 1.5" water line drops in high bay area for truck fill – these were not included in initial cost estimate.

Electrical

- Assume 3 phase service brought into building.
- Electrical wiring to all proposed equipment.
- Standard GFCI outlets in rooms.
- For truck charging a 20 amp drop will be located at each of the four bay areas.
- High efficiency lighting with sensors for the office/living area with standard T4 high bay type lighting in the high bay area.
- Standard site lighting with minimum light pollution.
- A generator was not included in the initial pricing. A 35 kW generator was included in the proposed program adders. This is basically the minimal size needed to run basic building utilities during a power outage. There are many options that can be considered for size and emergency service connections which can be determined based on the needs of EFD during an emergency power situation.



- Electronic access into and within the building was not included in the pricing.

Possible Additional Options

- Radiant floor heating within the high bay area in place of the gas fired space heaters. This would be a net add of approximately \$25,000 to the proposed construction cost.
- Snowmelt radiant heat within the concrete aprons. For the proposed 50' x 36' apron on both sides of bay this would be an additional \$25,000.
- A non-slip epoxy based floor coating within the high bay area would be an additional \$18,000.
- A concrete utility pad in the rear of the building was requested by the EFD. If this option is chosen we can work with the EFD to determine proper size and pricing.

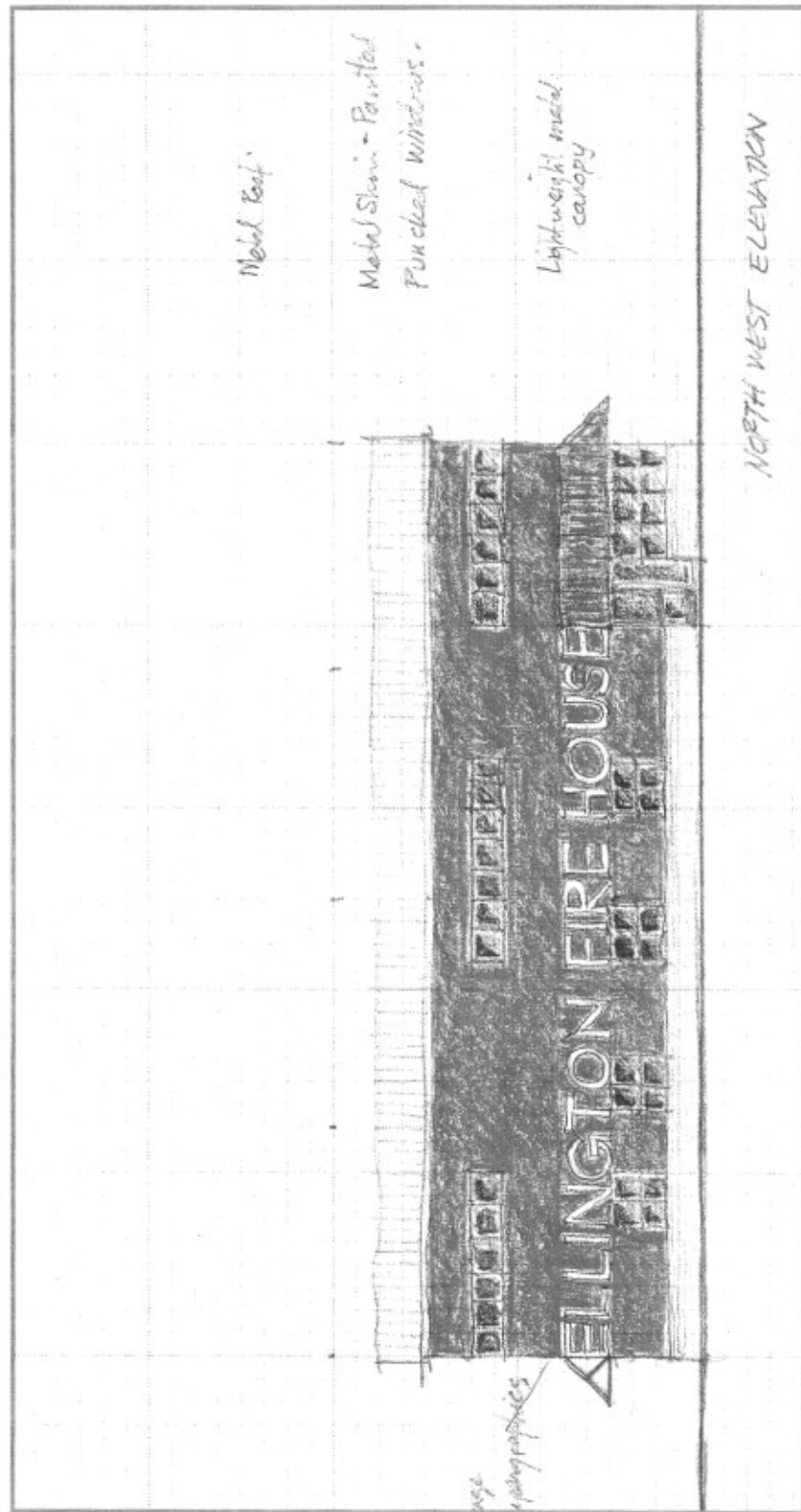


Fuss & O'Neill Design/Build Services, LLC
Ellington Fire Department - Construction Cost Estimate
Pinney Street Station
March 13, 2006

Work Description	Initial Cost Estimate	Program Adders	Description of Defined Program Adder to Original Cost
Design Fees			Design cost savings associated with pre-engineered style buildings
Architect	\$20,300		
Civil & MEP	\$10,800		
Structural	\$5,100		
Concrete Work	\$75,900	\$20,000	Concrete aprons (36' X 50')
Site	\$200,000	\$34,500	Updated actual price, 2 way access/egress, landscaping budget, oil / water separator
Building Shell			
Building	\$83,800		
Mezzanine/Second Floor	\$31,000		
Metal Building Erection	\$65,000		
(4) Overhead Doors - Elec	\$11,500	\$3,500	Increased door size to 14' X 16'
Masonry	\$0	\$42,000	Block wall around bay area, 25' high divider wall, 3' knee wall around exterior
Interior Buildout	\$116,800	\$18,200	Added rooms and bathrooms based on detailed program, FRP in Decon and Kitchen
Wall Finishes	\$23,500		
Floor Finishes	\$20,500	\$4,500	Ceramic tile in bathrooms and locker areas, carpet in living areas
HVAC/Plumbing	\$202,000	\$18,000	High efficiency units (rebate programs), automatic high bay ventilation, added rooms, truck fills, floor drains
Fire Protection	\$27,000		
Electrical	\$95,000	\$22,400	35 kW Generator, exact size would need to be determined based on EFD emergency power needs
Permitting	\$0		Assumes no permitting fees
Contingency	\$0	\$25,000	Not carried in original pricing
Subtotal	\$988,200	\$188,100	
Construction Oversight	\$49,410	\$9,405	
General Conditions	\$148,230	\$28,215	
Total Price	\$1,185,840	\$225,720	
Total Price w/ Possible Program Adders			\$1,411,560

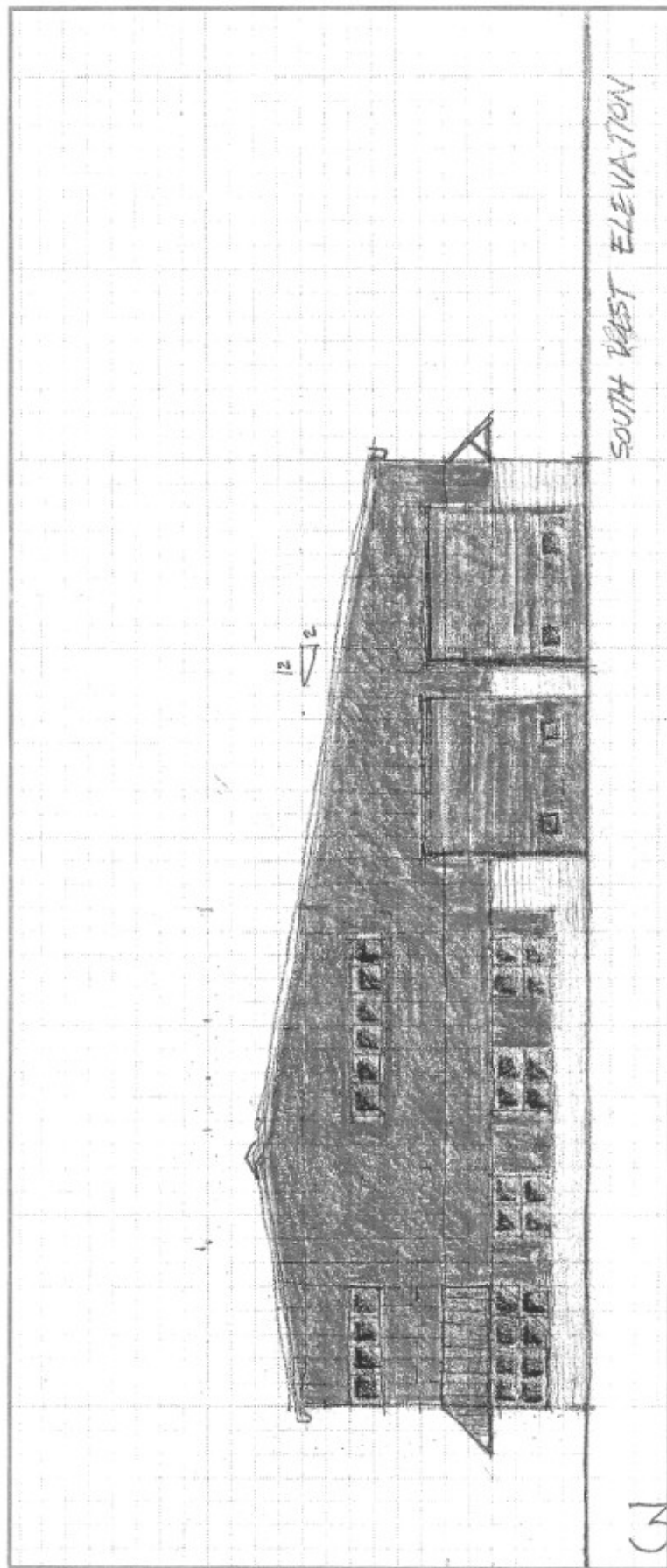
Pinney Street Station – Ellington Fire Department

Northwest Elevation



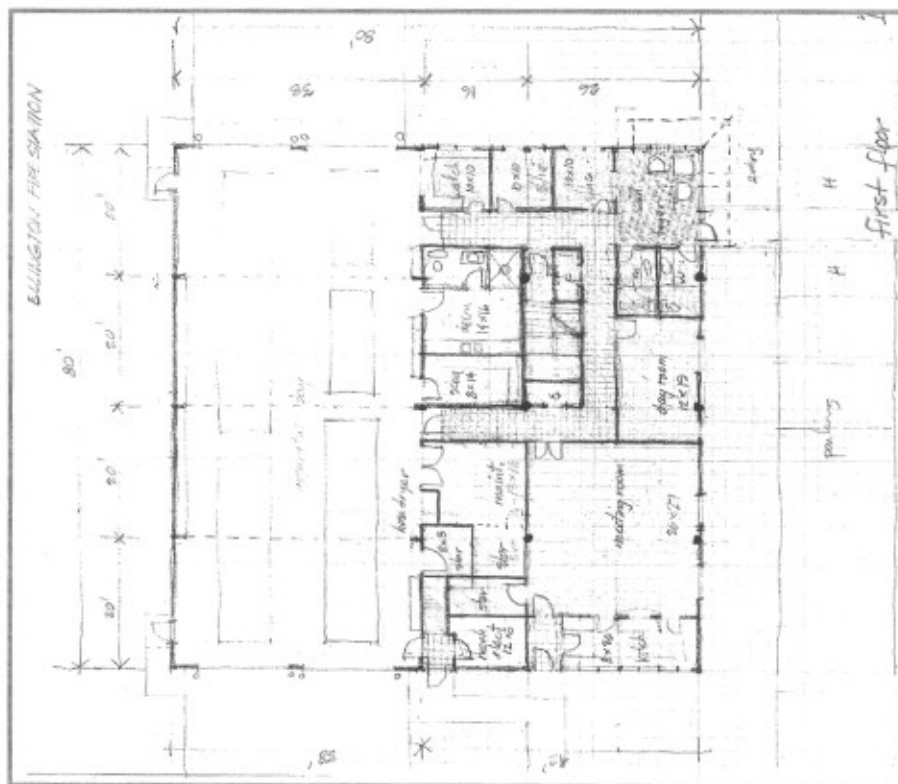
Pinney Street Station – Ellington Fire Department

Southwest Elevation

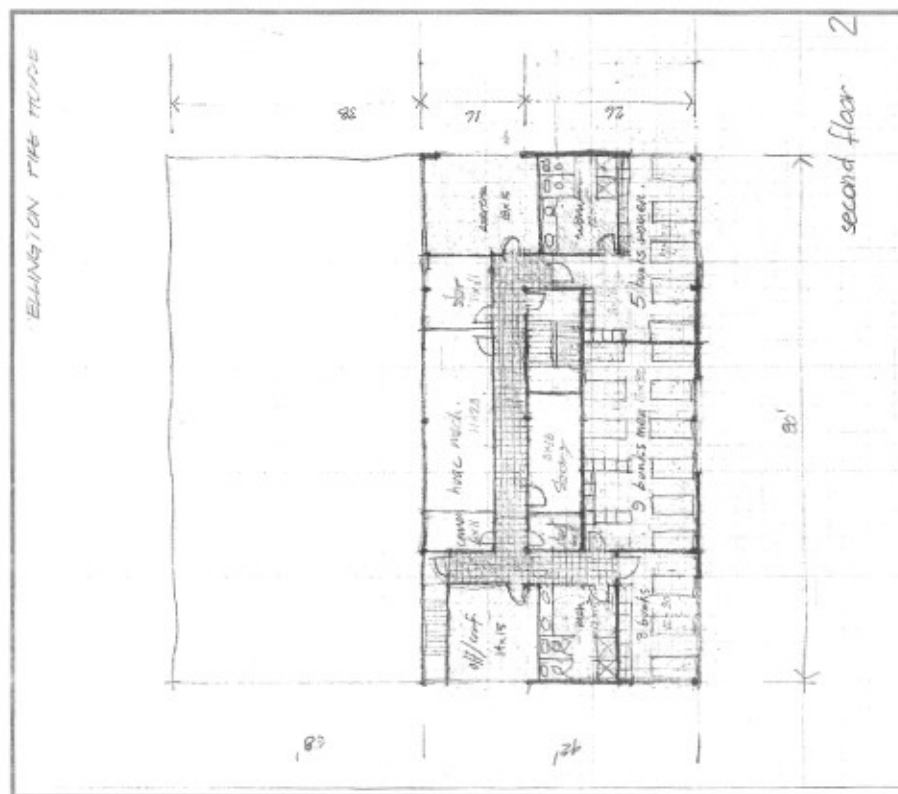


Pinney Street Station – Ellington Fire Department

Floor Plan



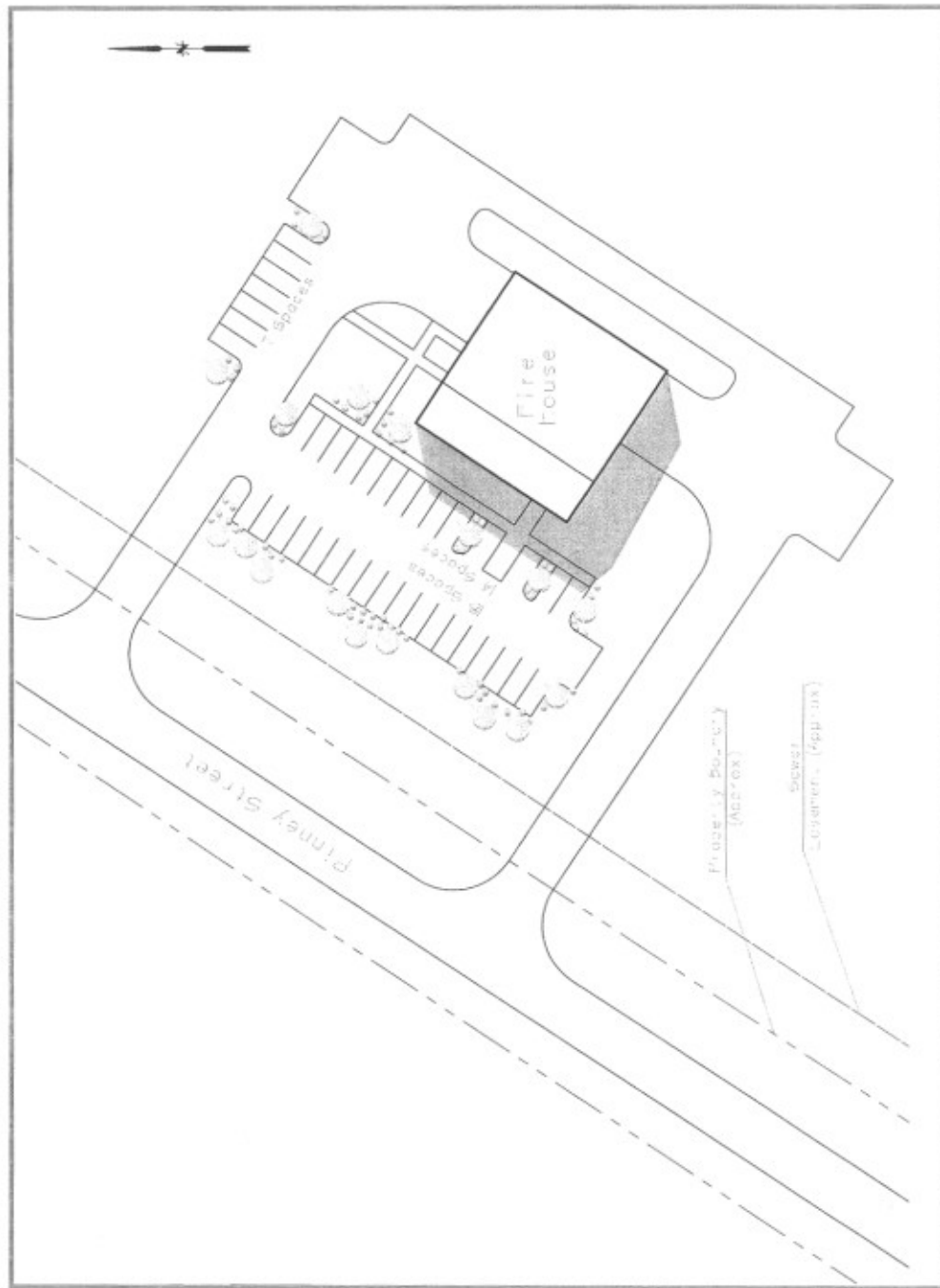
First Floor



Second Floor

Pinney Street Station – Ellington Fire Department

Site Plan



					V-A
	TAX COLLECTOR'S REFUNDS/ABATEMENTS				
	MARCH, 2006				
DOLLAR AMOUNT	PERSON/CORPORATION	MV/PERS.PROP REAL ESTATE	YEAR	TAX/ASSESSOR REQUESTING DEPT.	REASON FOR
	REFUNDS				
\$188.09	ACTION PACKAGING SYSTEMS	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$169.78	BAZIN, CYNTHIA A	MOTOR VEHICLE	03	ASSESSOR	MOVED FROM CT
\$9.41	DUBAY, RICHARD or SANDRA	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$2,019.19	FIRST AMERICAN for BROWN, M RYAN & DIANA M	REAL ESTATE	04	TAX OFFICE	DUPLICATE PYMT
\$1,668.07	FIRST AMERICAN for HARBAUGH, JOHN D & JEAN M	REAL ESTATE	04	TAX OFFICE	DUPLICATE PYMT
\$2,259.60	FIRST AMERICAN for LEONARD, CATHY J	REAL ESTATE	04	TAX OFFICE	DUPLICATE PYMT
\$1,736.11	FIRST AMERICAN for PISCO, KIMBERLY E	REAL ESTATE	04	TAX OFFICE	DUPLICATE PYMT
\$720.51	FORD MOTOR CREDIT CO	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$48.33	HEIM, DEREK R	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$310.80	HODGSON, MARY B	REAL ESTATE	04	TAX OFFICE	OVERPYMT
\$54.23	LAWRENCE, KATHRYN E	MOTOR VEHICLE	04	ASSESSOR	MOVED FROM CT
\$55.78	PICKUP, ROBERT J or GERALDINE A	MOTOR VEHICLE	04	ASSESSOR	MOVED FROM CT
\$30.24	RAVER, BERNARD J or TOMASA A	MOTOR VEHICLE	04	ASSESSOR	VEHICLE DONATED
\$34.82	RHOADES, BERRY G	MOTOR VEHICLE	03	ASSESSOR	MOVED FROM CT
\$2,614.77	RICHARD, DARYL P & JESSICA L	REAL ESTATE	04	TAX OFFICE	DUPLICATE PYMT
\$75.84	ROBB, ARIKA T	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$58.75	VIOLETTE, AL H	MOTOR VEHICLE	03, 04	ASSESSOR	VEHICLE SOLD
\$24.29	WACHSMAN, JASON B	MOTOR VEHICLE	03	ASSESSOR	VEHICLE SOLD
\$1,279.99	WELLS FARGO for POITRAS, DAVID G & JENNIFER A	REAL ESTATE	04	TAX OFFICE	DUPLICATE PYMT
\$13,358.60	MARCH REFUND TOTAL				
	ABATEMENTS				
\$0.00	MARCH ABATEMENT TOTAL				
\$13,358.60	MARCH, 2006 REFUND AND ABATEMENT TOTAL				
refmar06					

WARRANTY DEED

To All People to whom these Presents shall come, Greetings:

Know Ye, That GINGRAS DEVELOPMENT LLC, a limited liability company organized and existing under the laws of the State of Connecticut, with an office and principal place of business in the Town of Somers, County of Tolland and State of Connecticut, for the consideration of ONE DOLLAR and other good and valuable consideration received to its full satisfaction of the **TOWN OF ELLINGTON**, having an address of 55 Main Street, Ellington, Connecticut does give, grant, bargain, sell and confirm unto the said **TOWN OF ELLINGTON**,

Certain pieces or parcels of land situated in the Town of Ellington, County of Tolland and State of Connecticut, shown and designated as "RYE FIELD ROAD" and "DAISY LANE" on a certain map or plan entitled "SUBDIVISION PLAN RYE FIELD SUBDIVISION PREPARED FOR GINGRAS DEVELOPMENT, LLC ELLINGTON, CONN. AESCHLIMAN LAND SURVEYING, PC 1379 MAIN STREET EAST HARTFORD, CONN 06108 DATE: 6-03-04 REV. 9-21-04 STAFF COMMENTS REV. 5-25-05 STAFF COMMENTS SCALE: 1"=40' MAP NO. 203157-1 SHEETS 1-8 OF 8" which map or plan is to be filed in the Town Clerk's Office in said Town of Ellington to which reference may be had.

TOGETHER with a temporary cul de sac easement designated as "TEMPORARY R.O.W. WHICH REVERTS TO ABUTTERS UPON EXTENSION OF DAISY LANE" on Lots 7 and 20 of the above referenced map for all highway purposes for which the roadway itself is or could be used and subject to all of the regulations as to use and traffic which have been or may be imposed upon such area as part of the town highway system. The Grantor reserves for itself, its successors and assigns the right to use the easement areas provided the use does not interfere with the described purposes set forth above. This easement shall automatically terminate at such time as the roadway is extended and the extended road is accepted by the Town.

SUBJECT to an easement in favor of The Connecticut Light and Power Company dated March 30, 2005 and recorded in Volume 350 at Page 615 of the Ellington Land Records.

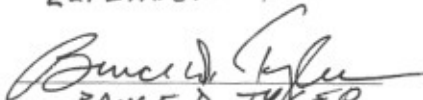
TO HAVE AND TO HOLD the above granted and bargained premises, with the appurtenances thereof, unto it the said Grantee and its successors and assigns forever, and to it and their own proper use and behoof. And also, the said Grantor does for itself and its successors and assigns covenant with the said Grantee, its successors and assigns, that at and until the ensembling of these presents, it is well seised of the premises, as a good indefeasible estate in FEE SIMPLE; and it has a good right to bargain and sell the same in manner and form as is above written; and that the same is free from all encumbrances whatsoever, except as is above written.

AND FURTHERMORE, the said Grantor does by these presents, bind itself and its successors and assigns forever to **WARRANT AND DEFEND** the above granted and bargained premises to it, the said Grantee, and its successors and assigns, against all claims and demands whatsoever, except as is above written.

IN WITNESS WHEREOF, Gingras Development LLC has hereunto set its hand this 21st day of June, 2005.

GINGRAS DEVELOPMENT LLC


ELIZABETH ROSE


BRUCE D. TYLER


its Member, duly authorized

KNOW YE, THAT, That **GINGRAS DEVELOPMENT LLC**, a limited liability company organized and existing under the laws of the State of Connecticut, with an office and principal place of business in the Town of Somers, County of Tolland and State of Connecticut, (hereinafter "Releasor") for One Dollar (\$1.00) and other valuable consideration received to its full satisfaction of the **TOWN OF ELLINGTON**, a municipal corporation with its territorial limits within the State of Connecticut (hereinafter "Releasee") does remise, release and forever **QUIT-CLAIM** unto the said Releasee, and unto its successors and assigns forever, all such right and title as it the said Releasor has or ought to have in or to the portion of Crane Road shown on a certain map or plan entitled "SUBDIVISION PLAN RYE FIELD SUBDIVISION PREPARED FOR GINGRAS DEVELOPMENT, LLC ELLINGTON, CONN. AESCHLIMAN LAND SURVEYING, PC 1379 MAIN STREET EAST HARTFORD, CONN 06108 DATE: 6-03-04 REV. 9-21-04 STAFF COMMENTS REV. 5-25-05 STAFF COMMENTS SCALE: 1"=40' MAP NO. 203157-1 SHEETS 1-8 OF 8" which map or plan is to be filed in the Town Clerk's Office in said Town of Ellington to which reference may be had.

To Have and To Hold the premises unto the said Releasee and unto its successors and assigns forever, to it and its own proper use so that neither said Releasor, nor any person or person in its name and behalf, shall or will hereafter claim or demand any right or title to the premises or any part hereto, but they and every one of them shall by these presents be excluded and forever barred.

IN WITNESS WHEREOF, Gingras Development LLC has hereunto set its hand this 25th day of June, 2005.

GINGRAS DEVELOPMENT LLC

Elizabeth Rose
ELIZABETH ROSE

 its
Member, duly authorized


Bruce D. Tyler
BRUCE D. TYLER

State of Connecticut)
) ss. Somers

JUNE 23, 2005

County of Tolland)

Personally Appeared Gerald R. Gingras, duly authorized, Signer of the foregoing Instrument, and acknowledged the same to be his free act and deed, and the free act and deed of Gingras Development LLC. before me.


Bruce D. Tyler
Commissioner of the Superior Court

Grantee's Address:
55 Main Street
Ellington, CT 06029



LOCATION MAP

SCALE: 1"=1000'

Rye Field Subdivision
20-Lot Subdivision
Crane Road

Community Opportunities Group, Inc. achieves high client satisfaction both because of our professional qualifications and our working approach. Principals of the firm are involved in a working capacity in all contracts. This means that Principals are not dealing with the clients only on contract and administrative matters, but that they are directly involved in substantive programmatic issues.

FEE

COG, Inc. will prepare the grant application for a fee of One Thousand, Five Hundred and 00/100 Dollars (\$1,500.00). We will provide grant management, project implementation, rehabilitation specialist and construction-phase inspection services for a fee of Fifteen Thousand, Five Hundred and 00/100 Dollars (\$15,500.00). Thus, our total proposed fee is Seventeen Thousand and 00/100 Dollars (\$17,000.00). This fee is based on a total current available budget of approximately \$100,000. Should additional funds become available resulting in an increase scope of construction work, we reserve the right to amend this fee in a manner that is commensurate with the increase in work.

In addition to the professional services fees, reimbursable expenses will be billed at 1.15 actual cost, and include, but are not limited to: travel (mileage @ \$.40/mile, tolls and parking), supplies, copying, postage, photo processing, and advertising (such as in the event that we directly incur public hearing notice advertisements). We do not bill travel expenses between our Boston office and the town.

We propose that the compensation will be made on a fixed fee basis, according to a payment schedule that combines milestone payments and monthly management fees.